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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/658,594

09/08/2000

Shinya Matsumoto

CS-20-000908

2609

22712

7590

05/18/2004

PAUL A. GUSS

PAUL A. GUSS ATTORNEY AT LAW

775 S 23RD ST FIRST FLOOR SUITE 2

ARLINGTON, VA 22202

EXAMINER

CHUNG, DANIEL J

ART UNIT

PAPER NUMBER ;

2672

15

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/658,594

**Applicant(s)**

MATSUMOTO ET AL.

**Examiner**

Daniel J Chung

**Art Unit**

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5-7,11-13 and 17-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-7,11-13 and 17-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Claims 1,5-7,11-13 and 17-47 are presented for examination. This office action is in response to the RCE filed on 3-15-2004.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,5-7,11-13 and 17-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Ebersole et al (6,500,008).

Regarding claim 1, Ebersole et al discloses that the claimed feature of a method of rendering an image, comprising the step of: mapping a plurality semitransparent textures ["texture map"; 11, i.e. fire texture, smoke texture, water texture] respectively onto of a plurality of semitransparent or transparent polygons [i.e. "particles", which consists of triangles] which make up an object [i.e. fire, smoke, water] (See col 7 line 1-24, col 7 line 46-55, col 9 line 16-23, col 17 line 28, col 18 line 1); moving plurality of semitransparent textures [i.e. "water texture"] simulatively in an arbitrary direction ["a direction of flow"] so that semitransparent textures become associated respectively with

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different polygons ['different polygon surface based on water flow', i.e. second and third particle surface system, which are smaller or wider surface] from among plurality of semitransparent or transparent polygons ["polygon surfaces"; 24] which make up object; and remapping ['mapping the translated texture map in the direction of flow'] the plurality of semitransparent textures [i.e. water texture], which have been moved [i.e. the translated water texture], respectively onto different polygons [i.e. any different surface; 24], wherein in moving step, at least one of plurality of semitransparent textures is moved in a different direction [i.e. water flow direction] from another one of plurality of textures. (See Fig 4B, col 9 line 16-23, col 18 line 2-3)

Regarding claim 5, Ebersole et al discloses that arranging plurality of semitransparent or transparent polygons in one or more multiple layers [i.e. layered model shown in Fig 4b]. (See Fig 4B, col 9 line 16-23, col 18 line 2-3)

Regarding claim 6, claim 6 is similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claim 6.

In addition, Ebersole et al further discloses that storing a plurality of texture images in a texture rendering area of an image memory; storing a plurality of polygons in a display rendering area of image memory based on at least texture image. (See col 11 line 66-col 12 line 18)

Regarding claims 7,11-13 and 17-20, claims 7,11-13 and 17-20 are similar in scope to the combination of claims 1 and 5-6, and thus the rejections to claims 1 and 5-6 hereinabove are also applicable to claims 7,11-13 and 17-20.

Regarding claim 21, Ebersole et al discloses that at least one of plurality of semitransparent textures is moved in more than one direction [i.e. "direction of water flow"]. (See col 9 line 17-18, col 18 line 2-3)

Regarding claims 22-28, claims 22-28 are similar in scope to the claim 21, and thus the rejection to claim 21 hereinabove is also applicable to claims 22-28.

Regarding claims 29-47, claims 29-47 are similar in scope (broader than claims hereinabove) to the combination of claims 1 and 5-6, and thus the rejections to claims 1 and 5-6 hereinabove are also applicable to claims 29-47.

### ***Response to Arguments/Amendments***

Applicant's arguments with respect to claims 1,5-7,11-13 and 17-47 have been considered but are moot in view of the new ground(s) of rejection. Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "different adjacent polygons" in Remarks p.19 line 16, p.22 line 19) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification,

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limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

#### **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

#### **or faxed to:**

**(703) 872-9306 (Central fax)**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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djc  
May 10, 2004

A handwritten signature in black ink, appearing to read 'M. Razavi', with a long horizontal stroke extending to the right.

**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**